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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			HAMZA, FARUK	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/058,082	KATAOKA ET AL.
	Examiner	Art Unit
	Faruk Hamza	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 February 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

1. This action is responsive to the communication filed on February 10, 2006.

Claims 1-20 are pending.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 19 and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims are directed to a data signal embodied in a carrier wave. A carrier wave is not tangible and does not belong to one of the statutory categories. See MPEP 2106.

It does not appear that a claim reciting a signal encoded with functional descriptive material falls within any of the categories of patentable subject matter set forth in 101.

The Supreme Court has read the term "manufacture" in accordance with its dictionary definition to mean "the production of articles for use from raw or prepared material by giving to these materials new forms, qualities, properties, or combinations, whether by hand-labor or by machinery". The definition requires physical substance, which a claimed signal does not have.

A product is a tangible physical article or object, some form of matter, which a signal is not. That the other two product classes, machine and

composition of matter, require physical matter is evidence that a manufacture was also intended to require physical matter. A signal, a form of energy, does not fall within either of the two definitions of manufacture. Thus, a signal does not fall within one of the four statutory classes of § 101.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2,9-10 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Klung et al. (U.S. Patent Number 5,790,785) hereinafter referred as Klung.

Klung teaches the invention as claimed including a world wide web registration processing system for assisting world wide web users in registering world wide web website (See abstract).

As to claim 1, Klung teaches a server device comprising:

a user-information storage section which stores in advance user information regarding at least one user to be a new member of a system (Fig. 1, Klung discloses user-information storage section);

a communications section which sends and receives predetermined information to and from at least one user terminal through a communications network (Fig. 1, Klung discloses communication section sending and receiving information through communications netowrk);

an input-form sender which sends input-form information for inputting ID (identification) information for identifying said at least one user in a predetermined ID-form, to said at least one user terminal through said communications section (Fig. 2A, Column 4, lines 24-Column 8, lines19, Klung discloses input-form sender which sends input-form);

an ID-information receiver which receives the ID information from said at least one user terminal through said communications section, in association with said input-form information sent by said input-form sender (Fig. 2B, Column 4, lines 24-Column 8, lines19, Klung discloses ID-information receiver which receives ID information);

an information acquirer which acquires the user information corresponding to said at least one user from said user-information storage section, in association with the ID information received by said ID-information receiver (Column 4, lines 24-Column 8, lines19, Klung discloses information acquirer which acquires the user informaiton);

a member-form sender which (1) sets the user information acquired by said information acquirer in member-form information used for inputting member information to generate thereby member form information having at least part of the member information set therein, and (2) sends the generated member form information to said at least one user terminal through said communications section (Column 4, lines 24-Column 8, lines19, Klung discloses setting user information acquired by said information acquirer);

a member-information receiver which receives the member information, sent from said at least one user terminal in association with said user information and member-form information sent by said member-form sender, through said communications section (Column 4, lines 24-Column 8, lines19, Klung discloses member-information receiver which receives the member information); and

a member-information storage section which stores the member information received by said member-information receiver (Column 4, lines 24-Column 8, lines19, Klung discloses member-information storage section which stores the member information).

As to claim 2, Klung teaches a server device comprising:

a user-information storage section which stores in advance user information regarding at least one user to be a new member of a system (Fig. 1);  
a communications section which sends and receives predetermined information to and from at least one user terminal and at least one sales-staff

terminal which are connected with each other through a communications network (Fig. 1);

an input-form sender which sends input-form information for inputting ID information for identifying said at least one user in a predetermined ID-input form, to said at least one user terminal through said communications section (Column 4, lines 24-Column 8, lines19);

an ID-information receiver which receives the ID information sent from said at least one user terminal in association with the input-form information sent by said input-form sender, through said communications section (Column 4, lines 24-Column 8, lines19);

an information acquirer which acquires the user information corresponding to said at least one user from said user-information storage section, in association with the ID information received by said ID-information receiver (Column 4, lines 24-Column 8, lines19);

a member-form sender which (1) sets the user information acquired by said information acquirer in member-form information used for inputting member information to generate thereby member form information having at least part of the member information set therein, and (2) sends the generated member form information to the at least one user terminal through said communications section (Column 4, lines 24-Column 8, lines19);

a member-information receiver which receives the member information, sent from said at least one user terminal in association with the user information

and the member-form information sent by said member-form sender, through said communications section (Column 4, lines 24-Column 8, lines19);

a member-information storage section which stores the member information received by said member-information receiver (Column 4, lines 24-Column 8, lines19); and

a member-information sender which sends the member information received by said member-information receiver to said at least one sales-staff terminal through said communications section (Column 4, lines 24-Column 8, lines19).

As to claim 9, Klung teaches a method for supporting member registration, comprising the steps of:

sending input-form information for inputting ID information for identifying at least one user, to at least one user terminal through a communications network (Fig. 2A, Column 4, lines 24-Column 8, lines19);

receiving the ID information sent from said at least one user terminal in association with the input-form information sent at said step of sending the input-form information (Fig. 2B, Column 4, lines 24-Column 8, lines19);

acquiring user information corresponding to said at least one user in association with the ID information received at said step of receiving the ID information, from a first storage section which stores in advance the user

information regarding the at least one user to be a new member of a system (Fig. 3, Column 4, lines 24-Column 8, lines19);

setting the user information acquired by said information acquirer in member-form information used for inputting member information in a predetermined member form to generate thereby member form information having at least part of the member information set therein, and sending the generated member form information to said at least one user terminal (Column 4, lines 24-Column 8, lines19);

receiving the member information sent from said at least one user terminal in association with the member-form information and user information sent at said step of sending the member form (Column 4, lines 24-Column 8, lines19); and

storing the member information received at said step of receiving the member information, in a second storage section storing information regarding at least one member (Column 4, lines 24-Column 8, lines19).

As to claim 10, Klung teaches a method for supporting member registration, comprising

sending input-form information for inputting ID information for identifying at least one user in a predetermined ID form, to at least one user terminal through a communications network (Fig. 2A, Column 4, lines 24-Column 8, lines19);

receiving the ID information sent from said at least one user terminal in association with the input-form information sent at said step of sending the input-form information (Fig. 2B, Column 4, lines 24-Column 8, lines19);

acquiring user information corresponding to said at least one user terminal in association with the ID information received at said step of receiving the ID information, from a first storage section which stores in advance the user information regarding said at least one user to be a new member of a system (Fig. 3, Column 4, lines 24-Column 8, lines19);

setting the user information acquired by said information acquirer in member-form information used for inputting member information to generate thereby member form information having at least part of the member information set therein and sending the generated member form information to said at least one user terminal (Column 4, lines 24-Column 8, lines19);

receiving the member information sent from said at least one user terminal in association with the member-form information and user information sent at said step of sending the member-form information (Column 4, lines 24-Column 8, lines19);

storing the member information received at said step of receiving the member information, in a second storage section storing information regarding at least one member (Column 4, lines 24-Column 8, lines19); and

sending member information received at said step of receiving the member information, to at least one sales-staff terminal through a

communications network (Column 4, lines 24-Column 8, lines19).

As to claim 17, Klung teaches a computer readable recording medium recording a program for controlling a computer to execute a method for supporting member registration, and said method comprising the steps of:

    sending input-form information for inputting ID information for identifying at least one user, to at least one user terminal through a communications network (Fig. 2A, Column 4, lines 24-Column 8, lines19);

    receiving the ID information sent from said at least one user terminal in association with the input-form information sent at said step of sending the input-form information (Fig. 2B, Column 4, lines 24-Column 8, lines19);

    acquiring user information corresponding to said at least one user in association with the ID information received at said step of receiving the ID information, from a first storage section which stores in advance the user information regarding the at least one user to be a new member of a system (Fig. 3, Column 4, lines 24-Column 8, lines19);

    setting the user information acquired by said information acquirer in member-form information used for inputting member information to generate thereby member form information having at least part of the member information set therein and sending the generated member form information to said at least one user terminal (Column 4, lines 24-Column 8, lines19);

receiving the member information sent from said at least one user terminal in association with the member-form information and user information sent in said step of sending the member form (Column 4, lines 24-Column 8, lines19); and

storing the member information received in said step of receiving the member information, in a second storage section storing information regarding at least one member (Column 4, lines 24-Column 8, lines19).

As to claim 18, Klung teaches a computer readable recording medium recording a program for controlling a computer to execute a method for supporting member registration, and said method comprising the steps of:

sending input-form information for inputting ID information for identifying at least one user in a predetermined ID form, to at least one user terminal through a communications network (Fig. 2A, Column 4, lines 24-Column 8, lines19);

receiving the ID information sent form said at least one user terminal in association with the input-form information sent at said step of sending the input-form information (Fig. 2B, Column 4, lines 24-Column 8, lines19);

acquiring user information corresponding to said at least one user terminal in association with the ID information received at said step of receiving the ID information, from a first storage section which stores in advance the user information regarding said at least one user to be a new member of a system (Fig. 3, Column 4, lines 24-Column 8, lines19);

setting the user information acquired by said information acquirer in member-form information used for inputting member information to generate thereby member form information having at least part of the member information set therein and sending the generated member form information to said at least one user terminal (Column 4, lines 24-Column 8, lines19);

receiving the member information sent from said at least one user terminal in association with the member-form information and user information sent at said step of sending the member-form information (Column 4, lines 24-Column 8, lines19);

storing the member information received in said step of receiving the member information, in a second storage section storing information regarding at least one member (Column 4, lines 24-Column 8, lines19); and

sending member information received in said step of receiving the member information, to at least one sales-staff terminal through a communications network (Column 4, lines 24-Column 8, lines19).

As to claim 19, Klung teaches a computer data signal embodied in a carrier wave and representing an instruction sequence for controlling a computer to execute a method for supporting member registration, and said method comprising the steps of:

sending input-form information for inputting ID information for identifying at least one user, to at least one user terminal through a communications network (Fig. 2A, Column 4, lines 24-Column 8, lines19);

receiving the ID information sent from said at least one user terminal in association with the input-form information sent at said step of sending the input-form information (Fig. 2B, Column 4, lines 24-Column 8, lines19);

acquiring user information corresponding to said at least one user in association with the ID information received at said step of receiving the ID information, from a first storage section which stores in advance the user information regarding the at least one user to be a new member of a system (Fig. 3, Column 4, lines 24-Column 8, lines19);

setting the user information acquired by said information acquirer in member-form information used for inputting member information to generate thereby member form information having at least part of the member information set therein and sending the generated member form information to said at least one user terminal (Column 4, lines 24-Column 8, lines19);

receiving the member information sent from said at least one user terminal in association with the member-form information and user information sent in said step of sending the member form (Column 4, lines 24-Column 8, lines19);  
and

storing the member information received in said step of receiving the member information, in a second storage section storing information regarding at

least one member (Column 4, lines 24-Column 8, lines19).

As to claim 20, Klung teaches a computer data signal embodied in a carrier wave and representing an instruction sequence for controlling a computer to execute a method for supporting member registration, and said method comprising the steps of:

    sending input-form information for inputting ID information for identifying at least one user in a predetermined ID form, to at least one user terminal through a communications network (Fig. 2A, Column 4, lines 24-Column 8, lines19);

    receiving the ID information sent from said at least one user terminal in association with the input-form information sent at said step of sending the input-form information (Fig. 2B, Column 4, lines 24-Column 8, lines19);

    acquiring user information corresponding to said at least one user terminal in association with the ID information received at said step of receiving the ID information, from a first storage section which stores in advance the user information regarding said at least one user to be a new member of a system (Fig. 3, Column 4, lines 24-Column 8, lines19);

    setting the user information acquired by said information acquirer in member-form information used for inputting member information to generate thereby member form information having at least part of the member information set therein and sending the generated member form information to said at least one user terminal (Column 4, lines 24-Column 8, lines19);

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receiving the member information sent from said at least one user terminal in association with the member-form information and user information sent in said step of sending the member-form information (Column 4, lines 24-Column 8, lines19);

storing the member information received in said step of receiving the member information, in a second storage section storing information regarding at least one member (Column 4, lines 24-Column 8, lines19); and

sending member information received in said step of receiving the member information, to at least one sales-staff terminal through a communications network (Column 4, lines 24-Column 8, lines19).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-8 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klung as applied above, and further in view of Harvey et al. (U.S. Patent Number 6,487,583) hereinafter referred as Harvey.

Klung teaches the invention substantially as claimed including a world wide web registration processing system for assisting world wide web users in registering world wide web website (See abstract).

As to claim 3, Klung teaches the server device according to claim 2, wherein:

each of said input-form sender and said member-form sender sends a Web page the includes form information to said at least one user terminal (Column 4, lines 24-Column 8, lines19); and

Klung does not explicitly teach the claimed limitation of sending member information by e-mail.

However, Harvey teaches the claimed limitation of sending member information by e-mail (Column 16, lines 7-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Klung by adding e-mail functionality, which will provide flexibility and ease communications. One would be motivated to do so to enhance the system's usability.

Claim 11 does not teach or define any new limitation other than above claim 3 and therefore is rejected for similar reasons.

As to claim 4, Klung teaches the server device according to claim 2, further comprising:

a staff-information storage section which stores information regarding at least one sales staff, in association with the user information stored in said user-information storage section (Column 9, lines 29-Column 10, lines 30), and

wherein said information acquirer acquires the user information corresponding to the at least one user from said user-information storage section, and acquires the information regarding said at least one sales staff from said staff-information storage section (Column 9, lines 29-Column 10, lines 30), and

said member-information sender sets, as addressee, an e-mail address included in the information regarding said at least one sales staff and acquired by said information acquirer (Column 8, lines 1-19, Column 9, lines 29-Column 10, lines 30).

Klung does not explicitly teach the claimed limitation of sending member information by e-mail.

However, Harvey teaches the claimed limitation of sending member information by e-mail (Column 16, lines 7-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Klung by adding e-mail functionality, which will provide flexibility and ease communications. One would be motivated to do so to enhance the system's usability.

Claims 5 and 12-13 do not teach or define any new limitation other than above claim 4 and therefore are rejected for similar reasons.

As to claim 6, Klung teaches the server device according to claim 2, further comprising:

a confirmation-form sender which sends confirmation-form information for confirming whether to send the member information received by said member-information receiver to said at least one sales staff, to said at least one user terminal through said communications section (Column 9, lines 29-Column 10, lines 30); and

a confirmation-information receiver which receives confirmation information sent from said at least one user terminal in association with the confirmation-form information sent by said confirmation-form sender, through said communications section (Column 9, lines 29-Column 10, lines 30), and

Klung does not explicitly teach the claimed limitation of sending member information by e-mail.

However, Harvey teaches the claimed limitation of sending member information by e-mail (Column 16, lines 7-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Klung by adding e-mail functionality, which will provide flexibility and ease communications. One would be motivated to do so to enhance the system's usability.

Claims 7,8 and14-16 do not teach or define any new limitation other than above claim 6 and therefore are rejected for similar reasons.

***Response to Arguments***

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Hamaguchi et al. (U.S. Patent Number 6,996,534) discloses member registration system.
- Yamada (U.S. Patent Number 6,336,100) discloses online shopping system.
- Feldman et al. (U.S. Patent Number 6,594,638) discloses online method for collecting demographic information.
- Wang et al. (U.S. Patent Number 6,618,705) discloses method for transitional e-commerce network
- Robertson (U.S. Patent Number 6,609,106) discloses method for electronic multi-merchant gift registration service.
- Masuda et al. (U.S. Patent Number 6,745,190) discloses member management system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unit 2155



SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER